

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

**SEVERN et al**

Atty. Ref.: **5256-3**

Serial No. **10/590,626**

Group: **1796**

Conf. No.: **2296**

Filed: **August 24, 2006**

Examiner: **LU**

For: **CATALYST SYSTEM COMPRISING MAGNESIUM  
HALIDE**

\* \* \* \* \*

**April 10, 2008**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION**

Sir:

The following comments are intended to be fully responsive to the Official Action dated December 11, 2007, petition being hereby made for a time extension of three (3) months up to and including April 11, 2008.

**I. Response to Species Election**

Applicants hereby elect for further prosecution the species of Formula III. The claims which appear to read on the elected species include claims 17, 19-21, 22-24, and 29-33, of which claims 17 and 23 appear generic to all disclosed species (i.e., since each of Formulas II, III and IV is recited in claims 17 and 23 as alternative compounds).<sup>1</sup>

An action on the merits of such elected claims is therefore awaited.

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<sup>1</sup> To this extent, therefore, applicants respectfully disagree with the Examiner's conclusion in paragraph 2 on page 2 of the Action that no claims are generic. In addition, it appears that the Examiner intended to indicate that claim 17 reads on Species III and IV since claim 1 as stated in paragraph 2 on page 2 has been cancelled. As such, claim 17 is thus acknowledged to read on all three species of Formulas II, III and IV along with claim 23.

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**II. Fee Authorization**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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